

1 THOMAS E. FRANKOVICH (State Bar No. 074414)
 THOMAS E. FRANKOVICH,
 2 *A Professional Law Corporation*
 4328 Redwood Hwy., Suite 300
 3 San Rafael, CA 94903
 Telephone: 415/674-8600
 4 Facsimile: 415/674-9900

5 Attorneys for Plaintiffs CRAIG YATES
 and DISABILITY RIGHTS ENFORCEMENT,
 6 EDUCATION SERVICES

7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA
 9

10 CRAIG YATES, an individual; and)
 11 DISABILITY RIGHTS, ENFORCEMENT,)
 EDUCATION, SERVICES:HELPING)
 12 YOU HELP OTHERS, a California public)
 benefit corporation,)

13 Plaintiffs,)

14 v.)

15 FRANKLIN ARDEN LLC, dba)
 16 GRAVENSTEIN BUSINESS CENTER,)

17 Defendant.)

CASE NO. CV-08-3004-EDL

STIPULATION OF DISMISSAL AND
 [PROPOSED] ORDER THEREON

18 The parties, by and through their respective counsel, stipulate to dismissal of this action
 19 in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the
 20 Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own
 21 costs and attorneys' fees. The parties further consent to and request that the Court retain
 22 jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511
 23 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of
 24 settlement agreements).

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1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action be and hereby is dismissed with
3 prejudice pursuant to Federal Rules of Civil Procedure Rule 41(a)(1).

4 Respectfully submitted,

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6 Dated: March 31, 2009

**THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION**

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8 By: /S/
Thomas E. Frankovich
9 Attorneys for Plaintiffs CRAIG YATES and
10 DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES

11
12 Dated: 4-2-, 2009

HAIGHT BROWN & BONESTEEL LLP

13
14 By: Nairi Chakalian
Nairi Chakalian
15 Attorneys for Defendant FRANKLIN ARDEN
16 LLC, dba GRAVENSTEIN BUSINESS CENTER

17
18 **ORDER**

19 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
20 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
21 the purpose of enforcing the parties' Settlement Agreement and General Release should such
22 enforcement be necessary.

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24 Dated: April 10, 2009

